Calendar No. 142

101ST CONGRESS *1st Session*	SENATE	REPORT 101-66

NATIONAL ENDOWMENT FOR CHILDREN'S EDUCATIONAL TELEVISION ACT OF 1989

Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

OF THE

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ON

S. 797

JULY 11 (legislative day, JANUARY 3), 1989.—Ordered to be printed

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NATIONAL ENDOWMENT FOR CHILDREN'S EDUCATIONAL TELEVISION ACT OF 1989

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Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 797]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 797) to amend the Communications Act of 1934 to improve the education of children by establishing a National Endowment for Children's Educational Television, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill do pass.

PURPOSE OF BILL

The objective of this legislation is to establish a National Endowment for Children's Educational Television which will provide funding for the production of programming aimed at educating children.

BACKGROUND AND NEEDS

Over the past year, a host of studies has demonstrated that students in the United States are lagging badly behind those of the rest of the world. A disturbingly large percentage of our children cannot read, add and subtract, or understand the meaning of important events. Yet, we expect them to find gainful employment and to lead our Nation in the next century.

There are an estimated 42 million children in this country, and they each spend anywhere from 11 to 28 hours a week watching television in their homes. By the time most children reach the age of 18, it is estimated that they will have watched between 15,000 and 20,000 hours of television, while they will have spent less than

13,000 hours in school. See, testimony of Dr. Joseph Duffey, chancellor, University of Massachusetts, at the April 12, 1989, Communications Subcommittee hearing on children's educational television (subcommittee hearing). Other than sleep, watching television is what children do most. Moreover, children from families with lower incomes watch more television and rely more heavily on it for information. Huston, Watkins and Kunkel, "Public Policy and Children's Television," *American Psychologist,* February 1989 at 425. Finally, television has been shown to be an efficient and effective way to reach and educate children in both the home and school.

THE STATE OF EDUCATION IN THE UNITED STATES

"Education is the most prominent area where our Nation's shortcomings threaten to impose enormous long term costs; yet success in education is crucial to economic growth and the attainment of the social values that we all share." See, *The 1989 Joint Economic Report,* Joint Economic Committee of the Congress of the United States, April 1989, Report 100–48. There is no dispute that the workplace is becoming increasingly more complex and sophisticated. Id. at 16; See also, testimony of Joseph Duffey, on behalf of the Council on Competitiveness before the U.S. Senate Budget Committee, January 17, 1989; U.S. Department of Labor, *Workforce 2000,* June, 1987. Research, however, indicates that the workforce lacks the proper intellectual skills for modern jobs. Id. Many workers are not even prepared for lower level jobs.

Twenty-five percent of elementary and secondary students drop out of school each year—"40 percent for Blacks and over 50 percent for Hispanics. * * * Approximately 13 percent of 17-year-old Americans cannot read, write or count." *1989 Joint Economic Report* at 15–16. Between 17 and 21 million U.S. adults cannot read. Id. at 16. In Hawaii, for example, nearly one in five adults cannot read. See, Omnitrak Research & Marketing Group Survey. Fifty-six percent of Hispanic adults, 47 percent of black adults, 17 percent of white adults have been found to be functionally illiterate (that is, anyone who has the reading comprehension no higher than that of a third grader). See, "Literacy in the Hispanic Community," National Council of La Raza Analysis Center, July 1988. Moreover, many adults and students who can read and write cannot apply these skills to the tasks required in today's workplace. Many entry level positions today require workers to be able to solve practical problems they are not trained to address.

It should be noted that there was an increase in the median number of school years completed by Americans, from 9.8 in 1970 to 12.3 in 1986; however, most of the increase "occurred in the 1970's and is associated with the baby boom bulge." *1989 Joint Economic Report* at 90–91 (Minority Views). At the same time, the percentage of Americans who completed college grew from 10.7 percent to 19.4 percent. Id. However, the dropout rate remains at an all time high.

According to Dr. David Pearson, director, Center of the Study of Reading, University of Illinois (Urbana), recent assessments of school-related literacy demonstrate that we are at least holding

steady, not falling behind in all areas. For example, nine-year-olds are holding their own or making progress in comparison to years past. "Their progress has been most dramatic, however, with the lower level reading skills." The trends for 13- to 17-year-olds show "no change or slight decreases." See, testimony of Dr. David Pearson, at the subcommittee hearing. For both age groups, the problems are more severe in the higher level skills, those requiring inference and problem solving. "[I]t was estimated that 40 percent of the 17-year-olds cannot draw inferences from written text and 50 percent of 17-year-olds could not write a persuasive essay of more than a few sentences." Id.

In addition to the high illiteracy rate in this country, the recent *Report to the Nation on the Future of Mathematics Education* by the National Research Council concluded that the United States is experiencing a decline in mathematical skills and interest. For example, in 1987, only 55 percent of the 700 tellers hired by Chemical Bank passed an 8th grade level mathematics test. See, testimony of Dr. Joseph Duffey. In 1983, more than 70 percent passed the test. In addition, from 1976 to 1986, high school student interest in mathematics declined by 50 percent. Only eight percent of the current workforce consists of scientists and engineers. See, *Report to the Nation on the Future of Mathematics* at 19.

> [M]athematics and English have long been the two main pillars of general education in the United States. But today the mathematics component has increased greatly in importance. * * * Mathematics is the foundation of science and technology. But no longer just the language of science, it contributes in direct and fundamental ways to business, finance, to health, and to defense. * * * The future technological capability of the nation is directly tied to continued development of this foundation.

See, testimony at the subcommittee hearing of Dr. Shirley Hill, chairman, Mathematical Sciences Education Board, National Research Council, National Academy of Sciences and National Academy of Engineering.

The results of the *Second International Math Study* (1982) indicate that the performance of the top five percent of U.S. math students is matched by the top 50 percent of students in Japan. In addition, the top one percent of U.S. students scored lowest of the top one percent of all participating countries. Thus, our best math students ranked the lowest when compared to their counterparts in other countries.

Further, according to the National Research Council Report, "non-Asian minorities (blacks, Hispanics, and Native Americans) are significantly underrepresented in all scientific, engineering and professional fields" because of a lack of proper foundation in math. The percentage of blacks and Hispanics receiving doctoral degrees in mathematical sciences has averaged 10 per year since 1974. This is particularly distressing because so many mathematics professionals are teachers and role models. In about 40 years, blacks and Hispanics will be in the majority in this country; yet, they will continue to be underrepresented in the faculty in our schools and universities. This data is particularly depressing when considered in con-

junction with the fact that the percentage of blacks and Hispanics enrolled in college declined from 1976 to 1986 from 33.5 percent to 28.6 percent for blacks and 35.8 percent to 29.4 percent for Hispanics.

These problems are further compounded by the fact that "the family, as a social institution, seems unable to convey many of the values that we have traditionally expected them to convey in paving the way for schools." See, testimony of Dr. David Pearson at the subcommittee hearing. In addition, it is increasingly difficult to demonstrate to children and young adults the importance of academic skills. "The good life by these children [in poverty] is defined in vastly different terms than from our traditional values." Id.

TEACHING THROUGH TELEVISION

The Federal Government is spending over $300 billion a year to educate our children in this country. See, Department of Education, Fiscal Year 1990 Budget, Summary and Background Information, January 1989. However, less than $20 million is spent by the entire Fedeal Government annually on producting children's educational television programming.[1]

"Television reaches children long before other educational systems have any contact with them at all." See, testimony at the subcommittee hearing of Dr. Aletha Huston, professor, University of Kansas, co-director, Center for Research on the Influence of Television on Children. There is a great deal of evidence that television can effectively teach children. A recent study published by the Department of Education concluded "contrary to popular assertions, children are cognitively active during television and attempt to form a coherent connected understanding of television programs." See, testimony of Daniel R. Anderson, author, *Television and America's Children, A Crisis of Neglect.*

Moreover, studies on the impact of programs designed to teach children specific skills conclude that they are effective. For example,

> [V]iewing *Mister Rogers Neighborhood* leads to increased prosocial behavior, task persistence and imaginative play. * * * [By watching] *Sesame Street* * * * preschool children learned many of the skills and concepts taught on the program. * * * Even a skeptical interpretation of the data concluded that children learned letter and number skills from unaided viewing. * * * Viewing at ages 3 and 4 is associated with improved vocabulary and prereading skills.

See, Huston, Watkins and Kunkel, "Public Policy and Children's Television, "*American Pyschologist,* February, 1989.

Childrens' educational programming is most effective when it is designed to focus on particular age groups and address specific skills. *The Electric Company* was created to teach basic reading

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[1] More than $23 million additional is spent by public television stations, foundations, and corporations on producing children's programming carried on public TV. While approximately $50 million is spent on instructional producing programming used in schools, virtually none of the funding for these programs comes from Federal sources.

skills to 6 to 11 year-olds who were not doing well in reading in their grade level. "Although designed primarily foir viewing in the home, *The Electric Company* has been the most widely used television series in American classrooms." See testimony at the subcommittee hearing of David Britt, president, Children's Television Workshop, Appendix VI. Studies done by the Educational Testing Service to determine the effectiveness of *The Electric Company* demonstrated that children's reading skills improved significantly as a result of exposure to the program. Moreover, the targeted viewers of the show—second graders in the bottom half of their reading class—showed greater reading achievement gains due to viewing *The Electric Company* than did their non-target viewer segments. In addition, the study concluded that minority children benefited as much as non-minority students from viewing the program. Ball, S. and G.A. Bogatz, *Reading with Television: An Evaluation of The Electric Company,* Princeton, N.J., Educational Testing Service, 1973 (ERIC Document Reproduction Service No. ED 073 178); Ball, S. et al., *Reading with Television: A follow-up Evaluation of The Electric Company,* Princeton, N.J., Educational Testing Service, 1974 (ERIC Document Reproduction Service No. ED 122 798).

More recent shows have been demonstrated to have a similar impact. *3-2-1 CONTACT* is designed to present a wide variety of scientific concepts to 8 to 12 year-olds (particularly girls and minorities). It encourages their "natural curiosity and broadens their understanding of science by showing them that science is everywhere." Testimony of David Britt, Appendix III. A number of studies have been done to determine the impact of the program on children, and all have concluded that the students learned and retained many of the concepts taught on the program. For example, 60 percent of the children who watched the program discussing airplanes were able to "explain how an airplane flies," a concept which many adults cannot explain. Id., see also, Johnston, Jerome and Richard Luker, *The Eriksson Study: An Exploratory Study of Viewing Two Weeks of the Second Season of 3-2-1 CONTACT,* Ann Arbor, Michigan: Institute for Social Research, University of Michigan, 1983. This program also has been found to help change students' attitudes about science from being boring to being fun. *An Exploratory Study of 3-2-1 CONTACT Viewership,* Chestnut Hill, Massachusetts: Research Communications, Ltd., 1987, Chen, Milton, *Touched by Science: An Exploratory Study of Children's Learning from the Second Season of 3-2-1 CONTACT,* New York: Children's Television Workshop, 1983, Chen, Milton, *A Review of Research on the Educational Potential of 3-2-1 CONTACT: A Children's TV Series on Science and Technology,* New York: Children's Television Workshop, 1984. Children interviewed about the program said that they watched it because it was interesting. Further, children demonstrated a continued interest in pursing related topics and activities after viewing the programming. Id. See also, testimony of David Britt, Appendix III; *An Exploratory Study of the Effects of Viewing the First Season of 3-2-1 CONTACT: Summary of Quantitative Measures of the Impact of Season IV, 3-2-1 CONTACT.*

Square One TV, a new mathematics program on public broadcasting, "has been shown to be a means of stimulating interest and

excitement among students in this country." See, testimony of Dr. Shirley Hill. *Square One TV* is designed to teach children mathematics and mathematical problem solving at home. It is intended to help children overcome their fear of math and replace that fear with enthusiasm. Although the program has been most effective where viewing it is encouraged and incorporated by teachers, even unaided children learn form *Square One TV.* See, Peel, Tina, Alex Rockwell, Edward Esty, and Kate Gonzer, *Square One TV: The Premiere Week Study,* New York: Children's Television Workshop, March, 1987; Peel, Tina, Alex Rockwell, Edward Esty, and Kate Gonzer, *Square One TV: The Comprehension & Problem Solving Study,* New York: Children's Television Workshop, July, 1987; Schauble, Leona, Tina Peel, Carol Sauerhaft, and Linda Keutzer, *The "Mathnet" Format on Square One TV: Children's Informal Problem Solving, Understanding of Mathematical Concepts, and Ideas and Attitudes about Mathematics,* Children's Television Workshop, April, 1987.

Reading Rainbow, targeted to five-to eight-year-olds, is designed to, and does, encourage children to read. Each program has a central theme drawn from the featured book. The program includes a video adaptation of the book using illustrations from the book. The program also includes an adventure segment, "you are there", to motivate youngsters to make reading a part of their everyday lives. In addition, there are book reviews of three additional books reviewed by children the age of the viewers. See, testimony at the subcommittee hearing of LeVar Burton, Host, *Reading Rainbow.* This program works. According to teachers and librarians, children who watch the program actually go to school and the library to request the featured books. In addition, sales of books featured on the show have increased dramatically. "Books that would sell 5,000 copies on their own sell 25,000 copies if they are on *Reading Rainbow."* Mimi Kayden, Director of Children's Marketing for the publisher E.P. Dutton, quoted in Chen, Milton and William Marsh, "Myths about Instructional Television: A Riposte," *Educational Week,* May 24, 1989.

Finally, the questions most asked concerning educational programming are whether children will watch educational programming without being forced by their parents and whether children in low-income communities will watch educational programming in their home at all. The answer to both questions is yes. The evidence presented to the Committee demonstrates that "in the 1980's children from all socioeconomic groups watch educational programming somewhere in the neighborhood of three to four hours a week." See, testimony of Dr. Althea Huston. "Over 11 million adults and children watch [*Sesame Street*] in this country today. Nearly 53 percent of the households with children under 12 and with income under $15,000 tune in." See, testimony of David Britt. In 1978, the Daniel Yankelovich organization tracked the viewership of *Sesame Street* in four black and Hispanic low-income, urban neighborhoods and found that 96 percent of the preschoolers in New York City's Bedford-Stuyvesant and East Harlem neighborhoods, 91 percent in the Chicago neighborhoods, and 97 percent in the Washington, DC neighborhoods watched the series. Yankelo-

vich, Skelly, & White, Inc., *A Trend Report on the Role and Penetration of Sesame Street in Ghetto Communities,* October 1978.

CHILDREN'S EDUCATIONAL PROGRAMMING

Today, public television is the primary source of educational children's programming in the United States. Approximately $40 million (this figure includes Federal and private funds) is spent each year to produce and make available over 1,200 hours of children's educational programming for home viewing on public television. This amount, however, pales in comparison to that in other countries.

Japan and Britain, for example, have clearly recognized the important role television plays in education. Japan, which has four national television stations, relies very heavily on in-school use of television to educate children. Japanese children attend school five days a week, and most children receive additional tutoring two hours per day after school. Id. Ninety percent of the Japanese primary schools have access to 122 educational programs per week for a total of 33.5 hours of instructional programming per week. See, testimony at the subcommittee hearing of Edward Palmer. These programs are produced by the Japanese equivalent of our public broadcasting system, NHK, and broadcast on a channel reserved primarily for educational programming, much of which is intended for in-school use. The in-school programs "cover all basic subjects and all grade levels. Color television sets were found in 99.7 percent of all Japanese primarys chools, 88 percent of which had a color television in every classroom." Id. Because there is so much instructional programming in the schools in Japan, programming for home viewing tends to be geared more toward informational and pro-social behavior. These programs are broadcast on a second channel programmed by the NHK which is used for which is considered general audience programming.

The British take a different approach to children's programming. Britain established a public television system with dependable funding prior to the development of its commercial television system. When commercial television was created, its programming regulations were based on the programming provided by the BBC, the British equivalent of our public broadcasting system. All television stations, commercial and non-commercial, are required to carry educational and informative programming aimed at children. In 1983–84, the two commercial television stations each carried 3.5 hours each week of children's informative programming and 2.5 hours of pre-school educational programming and provided almost 7 hours of school instructional programming per week.[2] These amounts mirror the children's programming carried on the BBC. In addition, the British produce many new programs each year, far more than in the United States Id.

"The Australians, with a total population of scarcely more than 16 million people, also put us to shame. Like Britain, they provide for children's informational and educational needs through public

[2] Commercial stations were also required to carry approximately seven hours per week of children's drama and entertainment programming.

and commercial television." See, testimony of Edward Palmer. The Australians introduced regulation over commercial children's TV programming in the late 1970's for the first time. The Australian Broadcasting Control Board was abolished in late 1987, and replaced by the new Australian Broadcasting Tribunal. The Tribunal instituted a new system of license renewals based on performance reviews. Id.

> The resulting regulatory reforms obligate each station to broadcast one hour per day every Monday through Friday of "C" classified programs geared for children 6–13 years of age, and an additional half hour per day Monday through Friday to serve preschool children. "C" classification is granted on a case-by-case basis by a special children's program committee set up by the Tribunal. "C" classified programs must be broadcast between 4:00 and 5:00 p.m. and may carry commercials. However, the preschool programs may not carry commercials. The regulations also specify that after the first play of any children's program, it can play in repeat no more than two additional times within a five-year period. This means that each year each commercial station must offer, at a minimum, 87 hours of new "C" classification programs for 6–13 year olds and 87 new half hours for preschoolers, for a combined total of 130.5 hours.

Id.

While the United States lags behind other countries in producing educational programming, we have had many successes: *Sesame Street,* and *Reading Rainbow,* for example. But, it is very difficult to increase the number of programs because they are so expensive. Educational programs, in addition to the normal production costs, require a great deal of research and the involvement of educators at all stages of production. Moreover, for commercial broadcasters, there is little incentive to broadcast programs like *Reading Rainbow* because they are designed for a narrow audience and the revenue tends to be far less than pure entertainment fare. Thus, public television is the primary outlet for such programming.

There have been some educationally important programs on commerical television, most notably *Fat Albert and the Cosby Kids,* produced in the 1970's. "That program dealt with many issues of importance to children such as drugs, divorce, friendship, child abuse, and children understood the messages in the program." See, testimony of Dr. Aletha Huston. But, overall, programs of this nature have not fared well on commercial stations.

The following chart demonstrates that the educational programming on public TV today is watched by children.

Cummulative Weekly Audiences [1]*—Children's Educational Series on Public Television*

Series	*Audience*
De Grassi Junior High	1,860,000
Mr. Rogers' Neighborhood	6,020,000
Reading Rainbow	4,610,000

Series	*Audience*
Sesame Street	10,630,000
Square One TV	3,370,000
3-2-1 Contact	2,660,000

[1] Nielsen 1987-1988 PBS Series Report Card.

The following chart demonstrates the cost of producing programs.

SAMPLE OF 1988 COSTS [1]—PBS EDUCATIONAL CHILDREN'S PROGRAMMING

Program title	Episodes/length	1988 costs	Cost per viewer
De Grassi Junior High	16/30 min.	$1,878,000	$1.01
Mr. Rogers' Neighborhood	195/30	1,413,097	.23
Reading Rainbow	45/30	2,694,000	.58
Sesame Street	130/60	13,718,600	1.29
Square One TV	40/30	9,642,000	2.86
3-2-1 Contact	115/30	3,868,310	1.45

[1] PBS SPC-16 Market Report, January 31, 1989, and Children's Television Workshop. These numbers and costs include both repeated episodes and new productions.

FUNDING IN THE UNITED STATES FOR CHILDREN'S EDUCATIONAL PROGRAMMING

As demonstrated above, while the cost of producing programming is considerable, using television to assist education at the national level is a sound and sensible investment. Today in this country there are 40 million "graduates" of *Sesame Street*—children who entered school better prepared for the rigors of the classroom. They received this benefit in large part because of the Federal support through the Department of Education which invested $30 million in *Sesame Street* over the years. For a total Federal tuition bill of 75 cents per student, 40 million children so far have learned the alphabet, counting, and the social skills they need to thrive in preschool and kindergarten. Furthermore, the Federal investment continues to pay dividends. Every year, over two million preschoolers join the ranks of the *Sesame Street* alumni at no additional cost to the Government.

Despite the low cost per child viewing educational programs, producers often have to spend a great deal of time and money raising funds. For example, *Reading Rainbow* receives funding from over 10 different sources, including the Corporation for Public Broadcasting (CPB), public television stations, the National Science Foundation (NSF), the National Endowment for the Arts and Humanities, the Department of Education, the Kellogg Company, Dupont, Sears-Roebuck, and IBM. See, testimony of LeVar Burton. The fact that it takes so many different sources just to fund one program is further evidence of the need for this legislation.

Sesame Street, one of the most successful children's educational programs in the world, is a product of the Children's Television Workshop (CTW). In 1967, the Carnegie Corporation provided funding for the research and development of a children's educational television program. Two years later, the first episodes of *Sesame Street* premiered on public television and eventually became an

[2] *It should be noted that the majority of these programs are not new, but re-runs of old programs.*

overwhelming success. The actual funding for the production of *Sesame Street* was provided by a number of foundations and government entities, including the newly formed CPB. Combining the teaching of letters and numbers in an entertaining daily format, it made a lasting impact on children's television in this country and elsewhere. Along with *Mister Rogers' Neighborhood,* produced by Family Communications, Inc. and WQED, Pittsburgh, PA, which received a $50,000 grant from the CPB for the first nighttime airing, the CTW has been the major provider over two decades of the daily children's block of programming on public television.

In the 1970's, Congress established the Emergency School Aid Act (ESAA), the only major piece of Federal legislation to set aside money specifically for educational television programs. The funds, administered through the Office of Education, created 32 television series over the decade at a cost of over $60 million. Unfortunately, ESAA expired in 1981. Since that time, the Department of Education has provided some funding for educational television programs, but its funding has not approached the levels supported by the ESAA.

In the past 20 years, the only centralized source of non-mission related (i.e., NSF has science and math education as its mission) funds for both at-home and in-school children's programming has been the CPB. However, the CPB's discretionary funding has never been sufficient to fully support the quantity of programming needed to meet the needs for quality educational children's television. State sources of funds have been available, but mainly for in-school television. As for corporate funders, they have been extremely scarce. Only a few major corporations have ever contributed, and those only for a short time. *ZOOM* and *Studio See,* both quality children's series in the 1970's, ended due to lack of funds. This discouraging funding picture caused producers to turn their attention to other types of productions, more easily underwritten.

In the 1980's, there have been some new programs but not nearly enough to meet the ever-increasing needs of our children. For example, the CPB supported *DeGrassi Junior High,* which aired to high critical acclaim last year, to tackle the very real problems America's teens face today.

The CPB also has worked to provide teachers' guides, student newspapers, and audio tapes and other aids, so that programs designed for the home audience become useful in school. For example, *Reading Rainbow* also has become a staple of the in-school schedule. In 1988, over 85,000 posters were distributed to libraries and schools, along with over 25,000 booklists. *Long Ago and Far Away* distributed 120,000 brochures to educators, bookstores, and libraries. To accompany the series, "Newspaper in Education" printed 245,000 student supplements in 15 major dailies. *DeGrassi Junior High* distributed 50,000 teacher guides and 117,000 student newspapers.

These efforts have demonstrated that with appropriate ancillary materials—teacher and leader guides, student activity books, audio tapes—programming designed for home viewing also can be useful in the school setting. Proposals being funded in 1989 fit this mode; however, in many cases, additional funds are needed to buy the rights to make unlimited school use possible.

Most public television stations offer a locally-tailored service as part of their daily school year schedule. While some of the at-home series, *Reading Rainbow, 3-2-1 Contact,* and *Square One TV,* have in-school use, there is a large library of shorter programming designed primarily for classroom use. The National Instructional Satellite service to public television stations includes 1,380 hours of Instructional television programming, and reaches approximately 23 million students whose teachers use it regularly for instruction. Other teachers use television in class, but do not use it regularly, so the total number is higher than 23 million. [3]

In fiscal year 1988-89, funding began for the Federal Star Schools projects, interactive programming beamed directly to classrooms via satellite by four major consortia—the Midlands Consortium, the Ti-In Network, the Technical Education Research Centers (TERC), and the Satellite Educational Resources Consortium (SERC). Although Midlands and Ti-In already had been providing distance learning before 1988, they have expanded their offerings under Star Schools.

SERC was formed last year by an alliance of the CPB, educators, and public broadcasters in 19 States and 4 major cities. In this, its pilot year, students in 58 high schools are enrolled in courses. A total of 9,000 students participated in a series of science seminars. Over 3,000 teachers have enrolled in in-service seminars offered by SERC. For the 1989-90 school year, the first full year of service, SERC will add courses in Discrete Math, Japanese 2, Russian 1, and Advanced Placement Economics. There also will be additional courses for teachers. Advance enrollment for 1989-90 is already up to 3,800 students in 350 high schools in 24 States.

The CPB, the Public Broadcasting Service (PBS), and the National Association of Public Television Stations (NAPTS) are considering the number and use of current and upcoming children's programs for home and school. Together, they are making a concentrated research effort looking at the children's audience, particularly minority children. The results of these cooperative efforts will soon be used in laying out a long-range funding and utilization plan. Public television stations are dedicated, as never before, to the importance of their programming for children.

All this activity only highlights the need for a stable and increased source of funding for educational children's programming which, given the dearth of corporate and foundation funding, seems to hold promise only at the Federal level.

THE NEED FOR LEGISLATION

The quality of children's educational programming on public television has remained high over the last 20 years. It has grown and developed over time as a highly-valued educational tool to enlighten and inform our Nation's youth, both at home and in school in an engaging fashion. The potential for real change is on the horizon given the many new proposals now being received by public television, the Department of Education, NSF, and CPB. However, in

[3] It should be noted that the majority of these programs are not new, but re-runs of old programs.

order to make a real impact in this area, there is a need for a greater focus on children's educational programming.

In addition, the outlets for educational programming need to be expanded beyond public broadcasting to include the commercial media, television, cable, and other distributors. Public television has demonstrated that educational programming can be very effective. The next logical step is to try to reach those children who are not watching public television and those children that the present public television fare is not serving. The Endowment is designed to maximize the viewership of the programs funded by requiring that programming be distributed aggressively through both the public television system and the commercial media.

As discussed previously, in the case of children's educational programming, commercial broadcasters have little incentive to produce or carry such programming because of the high cost of producing the programs and the low level of advertising revenue the programming generates. While children's programs on commercial television stations carry many advertisements, and sometimes more than on adult programs, the rates paid for these advertisements are substantialy less than the rates paid for general entertainment programs. Consequently, commercial broacasters have difficulty recouping the costs of general children's programming, much less the costs of that which is oriented to teaching intellectual skills.

The Endowment will enable commercial broadcasters to acquire educational programming at a very low cost and, while they cannot interrupt the program with advertisements, they will be able to advertise before and after the program. In addition, they will be able to carry the programming without having to bear the full production costs. This should greatly affect the benefit/cost ratio and provide a sufficient incentive to air more educational programming. Finally, the Endowment is not limited to distribution through over-the-air or cable television. Videocassette and satellite distribution may provide to be worthwhile mechanisms, and other new technologies are certain to come along. The Secretary of Commerce (Secretary) is to consider all avenues to aximize distribution.

Education in this country is primarily the concern of parents, educators, and local governments, which is as it should be. But we cannot lose sight of the vital role the Federal Government must play. It is not soelely the responsibility of the citizens of Iowa or Michigan or Tennessee to compete educationally with the countries of Europe and Asia—it is an issue that challenges us as a Nation. It is clear that we cannot expect parents who are themselves illiterate to prepare their children to compete in the workplace. The Federal Government must assist these parents to educate their children in every way possible.

Television programming can make an important contribution to education at the national level, because television is accessible to all Americans. Most importantly, television reaches 98 percent of all American homes—including the homes of the educationally and economically disadvantaged. Well over 90 percent of households with incomes below $5,000 have a working television set. According to the Department of Commerce, more homes have televisions than have indoor plumbing. *NTIA Telecom 2000* at 483.

It is essential that the Federal Government take the lead role in children's educational television projects at the national level and that it provide sustained, long-term funding for those endeavors which prove their worth.

CONCLUSION

The Committee believes that we need to devote greater attention to the educational needs of our Nation's youth. This legislation is designed to begin to address this need. If we are to ensure that our children are prepared for the future, we must expand our efforts to reach and teach our Nation's children. It is well documented that television programming can be an effective way to teach children and to motivate them to learn. The Committee recognizes that television alone cannot address all of the educational needs of our children. However, television can have a very significant impact.

In addition, the Committee also recognizes that we cannot rely solely on public broadcasting, with its limited resources and competing demands, to be the sole source of educational television programming. Accordingly, this legislation is intended to provide additional educational television programming for public broadcasting and low cost, high quality programming for distribution on the commercial video media.

Legislative History

S. 797 was introduced by Senator Inouye on april 13, 1989, with the following Senators as co-sponsors: Hollings, Gore, Bentsen, Breaux, and Pressler. A hearing was held on April 12th, and nine witnesses testified.

Similar legislation was introduced in the 96th Congress by Senator Heinz, S. 1823, the National Endowment for Children's Television Act of 1979, on June 21, 1979, with senators Hollings Inouye, Matsunaga, DeConcini, and Levin as co-sponsors. S. 1823 was not identical to S. 797; however, it did provide for the funding of educational children's programming. No hearing was held on this legislation and it was not voted on by the Senate.

At its executive session on May 16, 1989, the Committee in open session considered S. 797. Without objection, the Committee ordered the bill reported.

Summary of Major Provisions

The bill amends the Communications Act of 1934 by redesignating the existing section 394 and adding a new section 394.

Subsection (b) of the new section 394 provides for the establishment of the Endowment for Children's Educational Television at the Department of Commerce to be administered by the Secretary in consultation with the Advisory Council on Children's Educational Television. The Secretary will award grants to people who wish to produce children's educational programming under the conditions (1) that the programs be made available first only to public and noncommercial broadcasting (for two years) and (2) that others then may obtain the programming under conditions that ensure its maximum practicable distribution and so long as the programming is not interrupted by commercial advertisements. Subsection (d)

caps the amount to be awarded in any one grant to 75 percent of the project's total costs.

Subsection (e) requires the Secretary to establish the Advisory Council and requries that it consist of ten individuals from the private sector, expert in such fields as education, child developement, and programming.

Subsection (h) authorizes $10 million dollars to be appropriated for fiscal year 1990 for endowment grants.

Estimated Costs

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, DC, May 19, 1989.

Hon. Ernest F. Hollings,
Chairman, Committee on Commerce, Science, and Transportation, U.S. Sentate, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the attached cost estimate for S. 797, the National Endowment for Children's Educational Television Act of 1989, as ordered reported by the Senate Committee on Commerce, Science, and Transportation on May 16, 1989.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

Robert D. Reischauer,
Director.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 797.

2. Bill title: National Endowment for Children's Educational Television Act of 1989.

3. Bill status: As ordered reported by the Senate Committee on Commerce, Science, and Transportation on May 16, 1989.

4. Bill purpose: The purpose of this bill is to amend the Communications Act of 1934 by establishing a National Endowment for Children's Educational Television. Through the Endowment, the Secretary of Commerce would be authorized to make grants to persons proposing to create and produce educational television programming for children. In addition, S. 797 would authorize the Secretary of Commerce to establish an Advisory Council on Children's Educational Television to assist in the making of grants. This bill is subject to subsequent appropriations action.

5. Estimated cost to the Federal Government:

[By fiscal year, in millions of dollars]

	1990	1991	1992	1993	1994
National Endowment for Children's Educational Television:					
Authorization level	10				
Estimated outlays	5	4	1	(1)	

[1] Less than $500,000.

The costs of this bill fall in Function 500.

Basis of estimate: The authorization level for FY 1990 is stated in the bill. According to S. 797, funds appropriated in a given fiscal year would remain available for obligation until the last day of the succeeding fiscal year. Outlay estimates, which were made assuming full appropriation of the stated authorization level, reflect the current spending pattern of other similar programs funded by the federal government.

6. Estimated cost to State and Local Government: The Congressional Budget Office has determined that the budgets of state and local governments would not be affected directly by enactment of this bill.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Michael Namian.

10. Estimate approved by: James L. Blum, Assistant Director for Budget Analysis.

Regulatory Impact Statement

In accordance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation:

NUMBER OF PERSONS COVERED

This legislation creates an endowment for children's educational programming at the Department of Commerce and authorizes appropriations for fiscal year 1990. The Committee does not expect that any individuals or businesses will be subject to additional regulation as a result of this legislation.

ECONOMIC IMPACT

Section 3 of this bill includes a provision that authorizes appropriations of $10 million for fiscal year 1990. This funding level is modest and is not expected to have an inflationary impact on the Nation's economy.

PRIVACY

This legislation will not have any adverse impact on the personal privacy of the individuals affected.

PAPERWORK

There may be a slight increase in the paperwork requirements of the Department of Commerce because of the need to establish criteria and guidelines for the Endowment.

SECTION-BY-SECTION ANALYSIS

SECTION 1.—SHORT TITLE

This section provides the short title of the bill; the National Endowment for Children's Educational Television Act of 1989.

SECTION 2.—FINDINGS

This section states congressional findings that:

(1) American children are not keeping pace with those of other countries in essential academic skills;

(2) Those skills are critical to U.S. governmental and industrial leadership;

(3) The United States must take prompt action to remedy its educational deficiencies;

(4) American children watch approximately three hours of television each day, and television can be an effective teaching tool;

(5) The major impediments to the airing of more educational children's programming is the low funding of public broadcasting and the absence of financial incentives for commercial television; and

(6) A National Endowment can provide funding to produce additional programming to supplement that currently available.

The Committee recognizes that the CPB and Federal agencies, including the Department of Education, the National Endowments for the Arts and Humanities, and NSF currently support projects in educational television program production for America's children. All can fund projects that fit within the scope of the Endowment. The work of the agencies in funding important programs, including *Reading Rainbow, Square One TV,* and *3-2-1 Contact,* has provided sound education in math, science, reading, and other areas. It is clear these activities should continue.

The Committee emphasizes that, as stated by the sixth finding in section 2 of this legislation, the funding authorized by this legislation does not diminish the need for other government agencies and entities to continue their support of children's educational television programming. This legislation is not intended as a substitution for, or to justify a diminution of, the current level of funding of such activities by other governmental agencies or entities. The principal concerns of the Committee are that the current levels of funding for children's educational television programming are woefully inadequate and that there is no entity that focuses just on the creation of children's educational programming. This legislation should be viewed as a challenge for all entities funding children's education programming to increase their own efforts, particularly those organizations mentioned in the preceding paragraph. Our Nation's future requires such efforts.

SECTION 3.—AMENDMENT TO THE COMMUNICATIONS ACT OF 1934

Section 3 of the reported bill adds a new section 394 to the Communications Act of 1934, redesignating the current section 394 as section 393 A. Subsection (a) of the new section 394 states that the

purpose of this section is to produce educational children's programming to improve children's fundamental intellectual skills.

New section 394(b) provides for the establishment of the Endowment at the Department of Commerce to be administered by the Secretary in consultation with the Advisory Council on Children's Educational Television. The Secretary will award grants to persons who wish to produce children's educational programming under the conditions (1) that the programs be made available first only to public and noncommercial broadcasting (for two years) and (2) that others then may obtain the programming under conditions that ensure its maximum practicable distribution and so long as the programming is not interrupted by commercial advertisements.

Under the provisions of this legislation, during the first two years after production of a program funded by a grant from the Endowment, only public and noncommercial licensees and permittees will have access to the program. Thereafter, the program will become available to the commercial media, including broadcasters and cable television operators, at a charge established by the Secretary. The bill also authorizes the Secretary to waive this two-year waiting period if he finds that the public and noncommercial licensees and permittees will not have during that two-year period an "opportunity to air such programming."

The Committee is aware that public television is responsible for serving a number of diverse audiences, other than children. The Committee is also aware that there are certain times of the day and the week that are appropriate for children's programming, and many others that are not. Thus, while in a strict or narrow sense, there may be an "opportunity" to show such programming at almost any time of day or night, such times may be simply inappropriate or may lead to the exclusion of other worthwhile programs. The Committee does not intend that the term be applied restrictively. To do so would virtually negate the very grant of waiver authority. Instead, the Committee expects the Secretary to determine whether, during the two-year period, there are unlikely to be appropriate occasions for such programming to be widely broadcast on public and noncommercial television at times when there are significant audiences of children. If such appropriate occasions are unlikely, then the Secretary may exercise his waiver authority.

New section 394(b)(2) provides that, after the initial public television release, the programs may be made available to the commercial video media "at a charge established by the Secretary that will assure the maximum practicable distribution of such programming . . ." The purpose of such charges is to provide the funds necessary to cover the incremental costs associated with commercial exhibition of the programs, not necessarily to recoup the original costs of production. Thus, the Secretary might levy charges to defray any costs that might be associated with acquiring additional rights for commercial exhibition (although, given the purpose of the programs and the fact that they are to be broadcast on a non-commercial, sustaining basis, the Committee hopes that any additional costs for rights would be waived), or the administrative and techni-

cal costs of distributing the programs to commercial media. [4] The goal of this legislation is to make programming available at costs lower than the cost of actually producing educational programs but not necessarily as a means of raising funds to finance additional grants.

Subsection (c)(1) requires the Secretary with the advice of the Advisory Council on Children's Educational Television, to create criteria for the award of grants consistent with the purpose of this section.

Subsection (c)(2) authorizes the Secretary to establish regulations for the submission of applications for grants.

Subsection (d) caps the amount that can be awarded in any grant to 75 percent of the total cost of the project.

Subsection (e)(1) authorizes the Secretary to establish an Advisory Council on Children's Educational Television that will consist of 10 members, with one designated as Chairman.

Subsection (e)(2) specifies that the members of the Advisory Council shall serve for two years and cannot serve more than three consecutive terms. In addition, this subsection provides that the Advisory Council shall consist of individuals from the private sector expert in such fields as education, child development, and programming. To achieve the status which the Committee envisions for the Council, it is expected that the Council members will be nationally recognized as experts in their fields. The Committee also intends that the members of the Advisory Council operate in a non-partisan fashion, and that no more than a simple majority be from the same political party.

The basic function of the Council will be to advise the Secretary on the administration of the Endowment, especially the establishment of the criteria to be used for the making of the grants authorized by this bill and making recommendations to the Secretary on funding proposals. The Secretary is also authorized to prescribe rules and regulations to carry out the provisions of new section 394 of the Communications Act of 1934.

The Committee intends that the Council will be governed by the Federal Advisory Committee Act (5 U.S.C. App. Sections 1 et seq.) One of the provisions of that Act (5 U.S.C. App. Section 9) prohibits the Council from meeting until it files its advisory committee charter with the Secretary and the legislative committees in the Senate and the House of Representatives. The Committee expects the charter to be filed promptly.

Among the activities in the charter is the scope of the Council's activity. The bill does not specifically require periodic reporting to Congress on the state of educational television for children. However, the composition of the Advisory Council gives it the unique opportunity to survey and report from time to time on what television can do and is doing to address the educational needs of the Nation's children. Further, the Council can survey all broadcast and broadcast-related media. Such a survey would be essential to

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[4] The Secretary may determine that it is appropriate to charge fees in excess of these costs. While replenishment of the program funds is desirable, it will be up to the Secretary to set payments appropriate to achieve the goal of maximum distribution while also maximizing production of new programs.

the execution of its responsibility to determine what programming is needed and to make recommendations on grant requests. In addition, the Council could be instrumental in assisting the executive branch, the Congress, the educational system, and the media to chart together a course for future action. Therefore, the Committee strongly encourages the Council to develop a charter which includes such an undertaking within the scope of its activities.

Subsection (e)(3) of new section 394 authorizes the payment of travel expenses and per diem for the Advisory Council members.

Subsection (e)(4) provides that the Advisory Council shall meet at the call of the Chairman.

Subsection (f) authorizes the Secretary and the Comptroller General to audit grant recipients and requires grant recipients to maintain adequate final records of all funds.

Subsection (g) authorizes the Secretary to adopt appropriate rules and regulations to carry out the purposes of this legislation.

Subsection (h) authorizes $10 million dollars to be appropriated for fiscal year 1990. This is a relatively modest amount in comparison to the need. It is, however, more than all the funds awarded by the CPB this year for children's programs. This funding is not only vital in itself, but it is hoped that it will stimulate significantly more in matching funds from public television stations, foundations, corporations, and others.[5]

The funds authorized under this legislation can be used to fund only up to 75 percent of the costs of any one program or program series. The Committee believes that this provision will maximize the use of these funds. It will also help ensure that the program is subject to greater scrutiny by different parties. This provision shall not be interpreted as requiring the Secretary to fund 75 percent of every program. It is the maximum available to be funded.

The Committee does not intend that these funds be used only for the costs of production of programming, although this is the main purpose. The production of quality educational programming requires significant research and development work. Accordingly, the Secretary may fund other aspects of the program project so long as these activities are a necessary part of the overall production effort.

The Committee recognizes that educational and informational programming for children is currently being produced and aired on public radio stations. For example, Wisconsin Public Radio has a School Radio Service for grades kindergarten through 12th in the State public schools which operates on stations' subcarrier channels. The service consists of 34 instructional radio services ranging from *Wonderful World of Nature* to *Book Trials;* in addition, there is a teacher in-service project on reading comprehension for second through fourth graders which serves the State's rural areas. In Philadelphia, WXPN broadcasts *Kids Corner,* an award-winning daily magazine-style call-in program for children with music, guests, and short features. In Granger, WA, station KDNA broadcasts *The Children's Garden,* a live Spanish-language program that blends educational material, humor, and music using characters

[5] It should be noted, however, that raising matching funds is not required, but encouraged.

created by the local announcer. And at KSMU in Springfield, MO, radio drama productions based on children's literature are a regular part of the broadcast schedule. Although radio does not yet have the depth of experience TV does in children's programming, and is not yet a proven medium for such programming, the Committee encourages public and commercial radio to continue to expand and broaden their efforts in this area. The Committee will monitor these efforts and may consider inclusion of radio in the Endowment in the future.

Subsection (i) of new section 394 defines the terms "educational television programming for children" and "person".

CHANGES IN EXISTING LAW

In compliance with paragrah 12 of rule XXVI of the Standing rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in italic, existing law in which no change is proposed is shown in roman):

COMMUNICATIONS ACT OF 1934

Part IV of Title III of that Act

PART IV—ASSISTANCE FOR PUBLIC TELECOMMUNICATIONS FACILITIES; TELECOMMUNICATIONS DEMONSTRATIONS; CORPORATION FOR PUBLIC BROADCASTING

SUBPART A—ASSISTANCE FOR PUBLIC TELECOMMUNICATIONS FACILITIES

SEC. 390 through SEC. 393 * * *

LONG-RANGE PLANNING FOR FACILITIES

SEC. [394] *393A.* (a) * * *
(b) * * *

SUBPART B—NATIONAL ENDOWMENT FOR CHILDREN'S EDUCATIONAL TELEVISION

ESTABLISHMENT OF NATIONAL ENDOWMENT

SEC. 394. (a) It is the purpose of this section to enhance the education of children through the creation and production of television programming specifically directed toward the development of fundamental intellectual skills.

(b) There is established, under the direction of the Secretary, a National Endowment for Children's Educational Television. In administering the National Endowment, the Secretary is authorized to make grants to persons proposing to create and produce educational television programming for children. The Secretary shall consult with the Advisory Council on Children's Educational Television in the making of the grants. The grants shall be made on the condition that the programming shall—

(1) during the first two years after its production, be made available only to public television licensees and permittees and noncommercial television licencees and permittees; and

(2) thereafter be made available to any commercial television licensee or permittee or cable television system operator, at a charge established by the Secretary that will assure the maximum practicable distribution of such programming, so long as such licensee, permittee, or operator does not interrupt the programming with commercial advertisements.

The Secretary may, consistent with the purpose and provisions of this section, permit the programming to be distributed to persons using other media, establish conditions relating to such distribution, and apply those conditions to any grant. The Secretary may waive the requirements of paragraph (1) of this subsection if the Secretary finds that neither public television licensees and permittees nor noncommercial television licensees and permitees will have an opportunity to air such programming in the first two years after its production.

(c)(1) The Secretary, with the advice of the Advisory Council on Children's Educational Television, shall establish criteria for making grants under this section. Such criteria shall be consistent with the purpose and provisions of this section and shall be made available to interested parties upon request.

(2) Applications for grants under this section shall be submitted to the Secretary in such form and containing such information as the Secretary shall require by regulation.

(d) Upon approving any application under this section, the Secretary shall make a grant to the applicant in an amount determined by the Secretary, except that such amounts shall not exceed 75 per centum of the amount determined by the Secretary to be the reasonable and necessary cost of the project for which the grant is made.

(e)(1) The Secretary shall establish an Advisory Council on Children's Educational Television. The Secretary shall appoint ten individuals as members of the Advisory Council and designate one of such members to serve as Chairman.

(2) Members of the Advisory Council shall have terms of two years, and no member shall serve for more than three consecutive terms. The members shall have expertise in the fields of education, psychology, child development, or television programming, or related disciplines. Officers and employees of the United States shall not be appointed as members.

(3) While away from their homes or regular places of business in the performance of duties for the Advisory Council, the members of the Advisory Council shall serve without compensation but shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with 5703 of title 5, United States Code.

(4) The Advisory Council shall meet at the call of the Chairman and shall advise the Secretary concerning the making of grants under this section.

(f)(1) Each recipient of a grant under this section shall keep such records as may be reasonably necessary to enable the Secretary to carry out the Secretary's functions under this section, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such grant, the total cost of the project,

the amount and nature of that portion of the cost of the project supplied by other sources, and such other records as will facilitate an effective audit.

(2) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purposes of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to a grant received under this section.

(g) The Secretary is authorized to make such rules and regulations as may be necessary to carry out this section, including those relating to the order of priority in approving applications for projects under this section or to determining the amounts of grants for such projects.

(h) There are authorized to be appropriated $10,000,000 for fiscal year 1990 to be used by the Secretary to carry out the provisions of this section. Sums appropriated under this subsection for any fiscal year shall remain available for payment of grants for projects for which applications approved under this section have been submitted within one year after the last day of such fiscal year.

(i) For purposes of this section—

(1) the term "educational television programming for children" means any television program which is directed to an audience of children who are 16 years of age or younger and which is designed for the intellectual development of those children, except that such term does not include any television program which is directed to a general audience but which might also be viewed by a significant number of children; and

(2) the term "person" means an individual, partnership, association, joint stock company, trust, corporation, or State or local governmental entity.

SUBPART [B] *C*—TELECOMMUNICATIONS DEMONSTRATIONS

ASSISTANCE FOR DEMONSTRATION PROJECTS

SEC. 395. * * *

SUBPART [C] *D*—CORPORATION FOR PUBLIC BROADCASTING

DECLARATION OF POLICY

SEC. 396. * * *

SUBPART [D] *E*—GENERAL

DEFINITIONS

SEC. 397. For the purposes of this part—

(1) * * *

(2) The term "Corporation" means the Corporation for Public Broadcasting authorized to be established in [subpart C] *subpart D.*

(3) through (14) * * *

(15) The term "Secretary" means the Secretary of Commerce when such term is used in subpart A *and subpart B*, and the Secretary of Health and Human Services when such term is

used in [subpart B, subpart C] *subpart C, subpart D,* and this subpart.

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